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Notice of Allowability	Application No.	Applicant(s)	
	10/011,020	BALTES, WOLFGANG	
	Examiner	Art Unit	
	Frank Duong	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/10/06.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


FRANK DUONG
PRIMARY EXAMINER

DETAILED ACTION

1. This Office Action is a response to communications dated 07/10/06. Claims 1-23 are pending in the application.

Allowable Subject Matter

2. Claims 1-23 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Owens (USP 7,079,527) is considered the most related reference. Owens discloses a system (*depicted in Figure 1*) and method (*depicted in Figure 4*) for provisioning broadband communication device (104) in a point-to-point over Ethernet network (*Figure 1*). In Owens, as disclosed at col. 11, lines 35-39, the user has to supply his/her identifier which is sent by the client computer (102) to the DSL modem (104).

The prior art of record (*Owens and others listed below*), considered individually or in combination, fails to fairly show or suggest the claimed method for provisioning a broadband communication device comprising, among other limitations, novel and unobvious limitations of "*receiving from said communication system, communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information,*" structurally and functionally interconnected with other limitations in a manner as recited in claims 1-6; "*upon determining that configuration information is*

needed for said communication device, automatically contacting a server via a communication link without requiring any user interaction or user entered information," structurally and functionally interconnected with other limitations in a manner as recited in claims 7-14; and *"logic operable to automatically use a dial-up modem to communicate with said server when said broadband communication device needs to be configured for broadband communication without requiring any user interaction or user entered information,"* structurally and functionally interconnected with other limitations in a manner as recited in claims 15-23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Owens (USP 7,079,527).

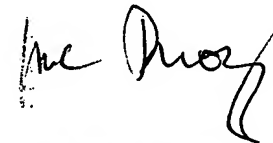
Frailong et al (USP 6,012,100).

Beser et al (USP 6,065,049).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is 571-272-3164. The examiner can normally be reached on 7:00AM-3:30PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



FRANK DUONG
PRIMARY EXAMINER

September 21, 2206